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SUBSTITUTE for PTO/SB/05 (08/00) Utility Patent Application Transmittal
Approved for use through 10/31/2002. OMB 0651-0032
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No. 19963YDB

First Inventor or Application Identifier R. L. Kendall

Title HUMAN RECEPTOR TYROSINE KINASE, KDR

Express Mail Label No. EL523909265US

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

1. ☒ Fee Transmittal Form
(Submit an original, and a duplicate for fee processing)
2. ☒ Specification [Total Pages 60]
3. ☒ Drawing(s) (35 USC 113) [Total Sheets 6]
[Total Pages 66]
4. Oath or Declaration
 - a. ☐ Newly executed (original or copy)
 - b. ☒ Copy from a prior application (37 CFR 1.63(d))
(for continuation/divisional with Box 14 completed)
 - i. ☐ DELETION OF INVENTOR(S)
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33 (b).
5. ☐ Application Data Sheet. See 37 CFR 1.76

ADDRESS TO: Assistant Commissioner for Patents
Box Patent Application
Washington, DC 20231

6. Nucleotide and/or Amino Acid Sequence Submission
(if applicable, all necessary)
 - a. ☐ Computer Readable Form
 - b. ☐ Paper Copy (identical to computer copy)
 - c. ☐ Statements verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

7. ☐ Assignment papers (cover sheet & document(s))
8. ☐ 37 CFR 3.73(b) Statement (when there is an assignee) ☐ Power of Attorney
9. ☐ Information Disclosure Statement (IDS)/PTO-1449 ☐ Copies of IDS Citations
10. ☒ Preliminary Amendment
11. ☒ Return Receipt Postcard (MPEP 503)
(Should be specifically utilized)
12. ☐ Certified Copy of Priority Document(s)
(if foreign priority is claimed)
13. ☒ Other: Req for Div Appln Trans 37 CFR 1.53(b)

14. If a CONTINUING APPLICATION, check appropriate box and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

☐ Continuation ☒ Divisional ☐ Continuation-in-part (CIP) of prior application No. 09 / 098,707

Prior application information: Examiner _____ Group/Art Unit: _____


For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 4b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference.

15. CORRESPONDENCE ADDRESS

☒ Customer Number or Bar Code Label

Customer No. 000210
(Insert Customer No. or Attach bar code here)

NAME	J. Mark Hand				
ADDRESS	Merck & Co., Inc., P. O. Box 2000 - Patent Dept., RY60-30				
CITY	Rahway	STATE	NJ	ZIP CODE	07065-0907
COUNTRY	USA	TELEPHONE	732-594-3905	FAX	732-594-4720

Name	J. Mark Hand	Registration No. (Attorney/Agent)	36,545
Signature		Date	December 18, 2001

EXPRESS MAIL CERTIFICATE

DATE OF DEPOSIT December 18, 2001

EXPRESS MAIL NO. EL523909265US

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS EXPRESS MAIL "POST OFFICE TO ADDRESSEE" ON THE ABOVE DATE IN AN ENVELOPE ADDRESSED TO ASSISTANT COMMISSIONER FOR PATENTS, BOX PATENT APPLICATION, WASHINGTON, D.C. 20231.

MAILED BY  DATE 12/18/01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Assistant Commissioner for Patents
Washington, D.C. 20231

Prior Application:

Examiner	C. Kaufman
Art Unit	1646

Sir: This is a request for filing a ☐ Continuation☒ Divisional

application, under 37 C.F.R. 1.53(b), of pending application Serial No. 09/098,707 filed on

6/17/1998

(DATE)

of Richard L. Kendall, Kenneth A. Thomas, Xianzhi Mao and Andrew Tebben

(INVENTOR)

for HUMAN RECEPTOR TYROSINE KINASE, KDR

(TITLE OF INVENTION)

1. The enclosed comprises a copy of prior application Serial No. 09/098,707, as filed on

6/17/1998. The entire disclosure of this prior application is hereby incorporated by reference.

2. The filing fee is calculated below:

CLAIMS AS FILED IN THE PRIOR APPLICATION, LESS ANY CLAIMS CANCELED BY AMENDMENT BELOW

CLAIMS AS FILED IN THE PRIOR APPLICATION, LESS ANY CLAIMS CANCELLED BY FINAL REJECTION								
FOR	NUMBER FILED		NUMBER EXTRA		RATE	FEE		
Total Claims	27	-	20	7	x	\$18	\$126	
Independent Claims	8	-	3	5	x	\$84	\$390	
*Multiple Dependent Claims						\$280		
Basic Fee (minimum amount required)							\$740	
* Add this fee if application contains any multiple dependent claims, regardless of number.							\$1,206	Total Fee

3. The Assistant Commissioner is hereby authorized to charge any fees which may be required or to credit any overpayment to Account No. 13-2755.

4. ☒ Amend the specification by inserting before the first line the sentence:
-- This is a ☐ continuation, ☐ division of application Serial No. (PLEASE SEE PREL. AMENDMENT),
filed _____.5. ☐ Cancel in this application original claims: _____.6. ☒ Preliminary amendment enclosed.7. ☐ Information Disclosure Statement/PTO-1449 enclosed.8a. ☐ Transfer the drawings from the prior application to this application and abandon said prior application as of the filing date accorded this application. A duplicate copy of this sheet is enclosed for filing in the prior application file.8b. ☐ New formal drawings are enclosed.9a. ☐ Priority of application Serial No. _____, filed _____,
in _____ is claimed under 35 U.S.C. 119.
(COUNTRY)9b. ☐ The certified copy of the priority application has been filed in prior application Serial No. _____,
filed _____.10. ☒ The prior application is assigned to Merck & Co., Inc. Rahway, New Jersey 07065.11. ☒ The undersigned attorney or agent has:a. ☒ Power in the prior application as originally filed.b. ☐ Associate power, copy enclosed.

Respectfully,


 By: J. Mark Hand

Attorney _____ for Applicant(s)

Registration No. 36,545

Telephone: (732) 594-3905

Address: Merck & Co., Inc.
Patent Department
P.O. Box 2000 - RY60-30
Rahway, N.J. 07065-0907

Date: 12/18/01

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FOR PATENTS, WASHINGTON, D.C. 20231.

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IN DUPLICATE

Enclosure